



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2008 JUL 28 A 9:34

**MEMORANDUM**

**AGENDA ITEM**  
For Meeting of 07-28-08  
**SUBMITTED LATE**

TO: The Commission

FROM: Vice Chairman Steven T. Walther <sup>STW</sup>  
Commissioner Caroline C. Hunter <sub>CH</sub>

SUBJECT: Amendment to Draft Advisory Opinion 2008-05 (Holland & Knight LLP)

DATE: July 28, 2008

We intend to offer the following amendment to Agenda Doc. No. 08-13 (draft Advisory Opinion 2008-05):

Draft A, page 6, line 8: Insert:

Any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which this advisory opinion is rendered may rely on this advisory opinion. See 2 U.S.C. 437f(c)(1)(B). Please note the analysis or conclusions in this advisory opinion may be affected by subsequent developments in the law including, but not limited to, statutes, regulations, advisory opinions and case law.

Draft B, page 5, line 12: Insert:

Any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which this advisory opinion is rendered may rely on this advisory opinion. See 2 U.S.C. 437f(c)(1)(B). Please note the analysis or conclusions in this advisory opinion may be affected by subsequent developments in the law including, but not limited to, statutes, regulations, advisory opinions and case law.